

# Court of Appeals, State of Michigan

## ORDER

National City Bank of the Midwest v Angela M Lindsey

Stephen L. Borrello  
Presiding Judge

Docket No. 290312

Peter D. O'Connell

LC No. 09-000569-AV

Alton T. Davis  
Judges

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The Court orders that the motion to dismiss pursuant to MCR 7.211(C)(2) is GRANTED. The December 17, 2009 district court judgment, from which appellant has filed a claim of appeal, is not an order that is appealable to this Court. MCR 7.203(A)(1). Further, even if the claim of appeal were treated as being taken from the January 23, 2009 circuit court order dismissing appellant's appeal from the district court decision, this Court would lack jurisdiction over the claim of appeal because there is no appeal of right from this circuit court order entered on appeal from the district court. MCR 7.203(A)(1)(a). At this time appellant may seek to appeal the January 23, 2009 circuit court order only by filing a delayed application for leave to appeal under MCR 7.205(F).

Defendant's motions for immediate consideration, to stay proceedings, to waive the requirements of MCR 7.209, and to "Appeal from Possessory Judgment" are ~~granted~~ DENIED as moot.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**MAR 18 2009**

Date

*Sandra Schultz Mengel*

Chief Clerk